

IN RE: PETITION FOR ADMINISTRATIVE \* BEFORE THE  
 ZONING VARIANCE \*  
 W/S Bulls Sawmill Road, 1400 ft. \* ZONING COMMISSIONER  
 SW of c/l Middletown Road \*  
 1928 Bulls Sawmill Road \* OF BALTIMORE COUNTY  
 6th Election District \*  
 3rd Councilmanic District \* Case No. 95-127-A  
 Marie C. Fern \*  
 Petitioner \*  
 \* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Marie C. Fern for that property known as 1928 Bulls Sawmill Road near the Parkton section of Baltimore County. The Petitioner herein seeks a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 37 ft. lot line setback in lieu of 50 ft., as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship

ORDER RECEIVED FOR FILING  
 Date 10/23/94  
 By M. Hovak

MICROFILMED

upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

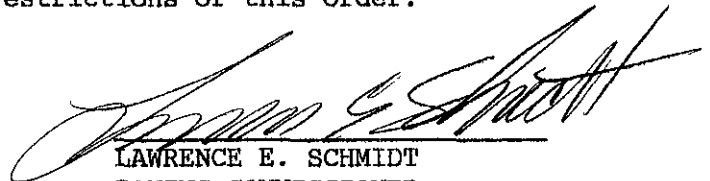
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2<sup>nd</sup> day of November, 1994 that the Petition for a Zoning Variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 37 ft. lot line setback in lieu of 50 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner shall comply with all requirements of the Department of Environmental Protection and Resource Management as set forth in their comments dated October 20, 1994, attached hereto and made a part thereof.

3. The Petitioner shall comply with all requirements of the Developers Engineering Section dated October 24, 1994, attached hereto and made a part thereof.

4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

LES:mmn

ORDER RECEIVED FOR FILING  
Date 11/2/94  
By [Signature]

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Sulte 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

November 1, 1994

Mrs. Marie C. Fern  
1928 Bulls Sawmill Road  
Freeland, Maryland 21053

RE: Petition for Administrative Variance  
Case No. 95-127-A  
Property: 1928 Bulls Sawmill Road

Dear Mrs. Fern:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
encl.



# EXAMPLE 3 - Zoning Description

- 3 copies

95-127-A

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR #1928 Bulls Sawmill Rd.  
(address)  
Election District 6 Councilmanic District 3

Beginning at a point on the West side of Bulls  
(north, south, east or west)  
Sawmill Rd which is 60'  
(street on which property fronts) (number of feet of right-of way width)  
wide at a distance of 1400' South-west of the  
(number of feet) (north, south, east or west)  
centerline of the nearest improved intersecting street Middletown Rd.  
(name of street)

which is 80' wide. \*Being Lot # N/A  
(number of feet of right-of-way width)

Block N/A, Section # N/A, in the subdivision of Deed  
N/A as recorded in Baltimore County Plat  
(name of subdivision)

Book # 4789, Folio # 407, containing

5.99 ac. (square feet and acres) ① N. 29.44.30. W 200.0  
③ S. 59.04. W 59.46 ④ N. 34.53.30. W 414.38 ⑤ N. 51.26.30. E 275.0  
⑥ S. 65.03.30. E 486.37 ⑦ S. 51.17. W 241.45 ⑧ S. 58.43.30. E 404.0

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber     , Folio     " and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.82 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

MICROFILMED

#128

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Townson, Maryland

95-127-1A

District: 6th

Date of Posting: 10/14/94

Posted for: Variance

Petitioner: Merle A. Fern

Location of property: 1928 Balto Sawmill Rd, w/s

Location of Signs: Facing roadway, on property being zoned

Remarks: \_\_\_\_\_

Posted by: M. Hender

Signature

Date of return: 10/21/94

Number of Signs: 1

MICROFILMED



Baltimore County  
Zoning Administration &  
Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

95-127-A

Account: R-001-6150

Number

Date

10/5/94

1928 Bulls Saw Mill Rd - Fern, Marie C.

010- Zoning Variance - \$ 50.00

080- 1 sign posting - \$ 35.00

Total - \$ 85.00

Taken In By: MJK

Item Number: 128

MICROFILMED

03A03#0346MICHR

\$85.00

BA 0011:40AM1D-05-94

Please Make Checks Payable To: Baltimore County

Cashier Validation

128  
MJK  
10-5-94

P E T I T I O N   P R O C E S S I N G   F L A G

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

The following information is missing:

Descriptions, including accurate beginning point

Actual address of property

## Zoning

Acreage

Plats (need 12, only \_\_\_\_ submitted)

200 scale zoning map with property outlined

Election district

Councilmanic district

BCZR section information and/or wording

Hardship/practical difficulty information

~~Owner's signature (need minimum 1 original signature) and/or  
printed name and/or address and/or telephone number~~

Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address

Signature (need minimum 1 original signature) and/or  
printed name and/or title of person signing for legal

owner/contract purchaser

Power of attorney or authorization for person signing for  
legal owner and/or contract purchaser

Attorney's signature (need minimum 1 original signature)  
and/or printed name and/or address and/or telephone number

Notary Public's section is incomplete and/or incorrect  
and/or commission has expired

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 128

Petitioner: Marie C. Fern

Location: #1928 Bulls Sawmill Rd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Marie C. Fern

ADDRESS: #1928 Bulls Sawmill Rd.

Freeland Md. 21053

PHONE NUMBER: (301) 343-0585

AJ:ggs

MICROFILMED

# 128

(Revised 04/09/93)





Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

OCT. 24 1994

Marie C. Fern  
1928 Bulls Sawmill Road  
Freeland, Maryland 21053

Re: Item, #128 , Case #95-127  
Petitioner: Marie C. Fern

Dear Petitioner:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on October 5, 1994 and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.
- 2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.
- 3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR:jaw



BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director      DATE: Oct. 24, 1994  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief  
*RWB* Developers Engineering Section

RE: Zoning Advisory Committee Meeting  
for Oct. 24, 1994  
Item No. 128

The Developers Engineering Section has reviewed the subject zoning item. If the variance is granted, this site will be subject to the Minor Subdivision requirements for residential property with a panhandle driveway, Section 26-266, of the Development Regulations.

RWB:sw

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

October 20, 1994

TO: Mr. Arnold Jablon, Director  
Zoning Administration and  
Development Management

FROM: J. Lawrence Pilson *JLP*  
Development Coordinator, DEPRM

SUBJECT: Zoning Item #128 - Fern Property  
1928 Bulls Sawmill Road  
Zoning Advisory Committee Meeting of October 17, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Ground Water Management

Prior to subdivision approval soil percolation tests must be conducted.

✓  
JLP:TE:sp

FERN/DEPRM/TXTSBP

B A L T I M O R E   C O U N T Y ,   M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO:     Arnold Jablon, Director  
         Zoning Administration and  
         Development Management

DATE:   October 18, 1994

FROM:   Pat Keller, Director  
         Office of Planning and Zoning

SUBJECT:     Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 125, 126, 128, 130 and 135.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: \_\_\_\_\_

Division Chief: \_\_\_\_\_

PK/JL:lw

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 10/19/94

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF 10/17/94.

Item No.: SEE BELOW                      Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

9. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 125, 126, 127, 128, 129,  
130, 131, 133 AND 135.

RECEIVED  
OCT 20 1994

ZADM

REVIEWER: LT. ROBERT P. SAUERHAUD  
Fire Marshal Office, PHONE 102-4881, NS-1105P

cc: File

RECEIVED





Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary

Hal Kassoff  
Administrator

10-14-94

Ms. Julie Winiarski  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: \* 128 (MSK)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*

*for* David Ramsey, Acting Chief  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

OCTOBER 14, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Marie C. Fern  
1928 Bulls Sawmill Road  
Freeland, Maryland 21053

Re: CASE NUMBER: 95-127-A (Item Number: 128)  
1928 Bulls Sawmill Road  
W/S Bulls Sawmill Road, 1400' SW of centerline Middletown Road (#)  
6th Election District - 3rd Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before October 16, 1994. The closing date (October 31, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon  
Director



FERN #123 MITCH

1928 BULLS

SAWMILL RD

FREELAND MD 21053

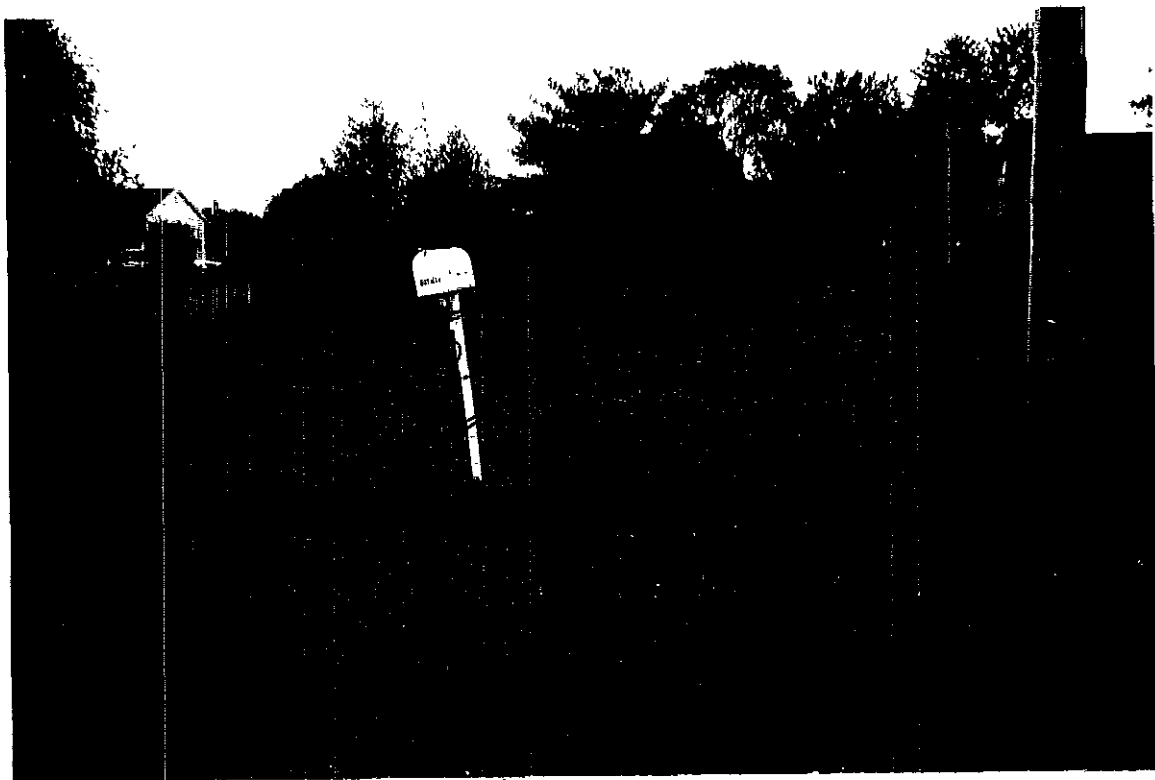
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WE ALREADY FILED  
FOR A VARIANCE  
THESE ARE PICTURES  
TO BE ATTACHED.

MICROFILMED PHONE #  
343-0585  
OR 668-7781



95-127-A



95-127-A

95-127-A



10/1/77  
10/1/77



# Petition for Administrative Variance

95-127-A  
to the Zoning Commissioner of Baltimore County  
for the property located at #1928 Bulls Saw Mill Rd.

which is presently zoned RC.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1 A04.3.B.3. to permit a 37' lot line setback in lieu of 50'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

my property is too narrow in the front to support a panhandle and leave enough side yard to meet zoning requirement.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County



REVIEWED BY: MDK DATE: 10/5/94

ESTIMATED POSTING DATE: 10/16/94



Printed with Soybean Ink  
on Recycled Paper

ITEM #: 128

# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at #1928 Bulls Sawmill Rd.  
address  
Freeland Md. 21053  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

In order to give a lot to my Son & Daughter  
I need a porhandle to access my rear  
property. This will reduce my side yard  
distance from ' to ' ,

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Marie C. Fern  
(signature)  
Marie C. Fern  
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5 day of Oct, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Marie Fern

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

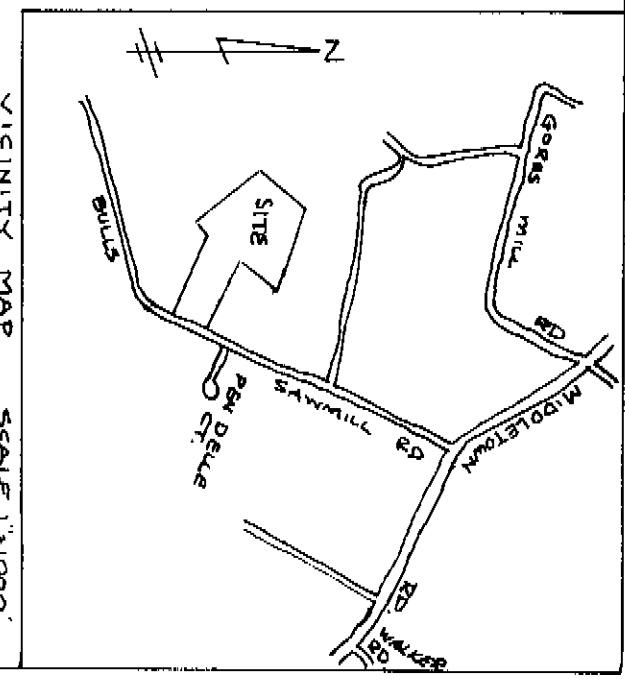
10/5/94  
date

[Signature]  
NOTARY PUBLIC

My Commission Expires:

6/13/98

☒ Variance ☐ Special Hearing



VICINITY MAP SCALE 1"=1000'

Page 1

**MICROFILMED**

Scale of Drawing: 1" = 50'

LOCATION INFORMATION

Electron District 6  
Comprehensive District 3  
1:1,000 scale map # HW 24-6  
Zoning: R-C-1

Lot Area: 58.00  
acreage

1

SEWER: ☒ public  
WATER: ☒  
FLOOD: ☒ ☒ ☒

500,000.00  
square feet

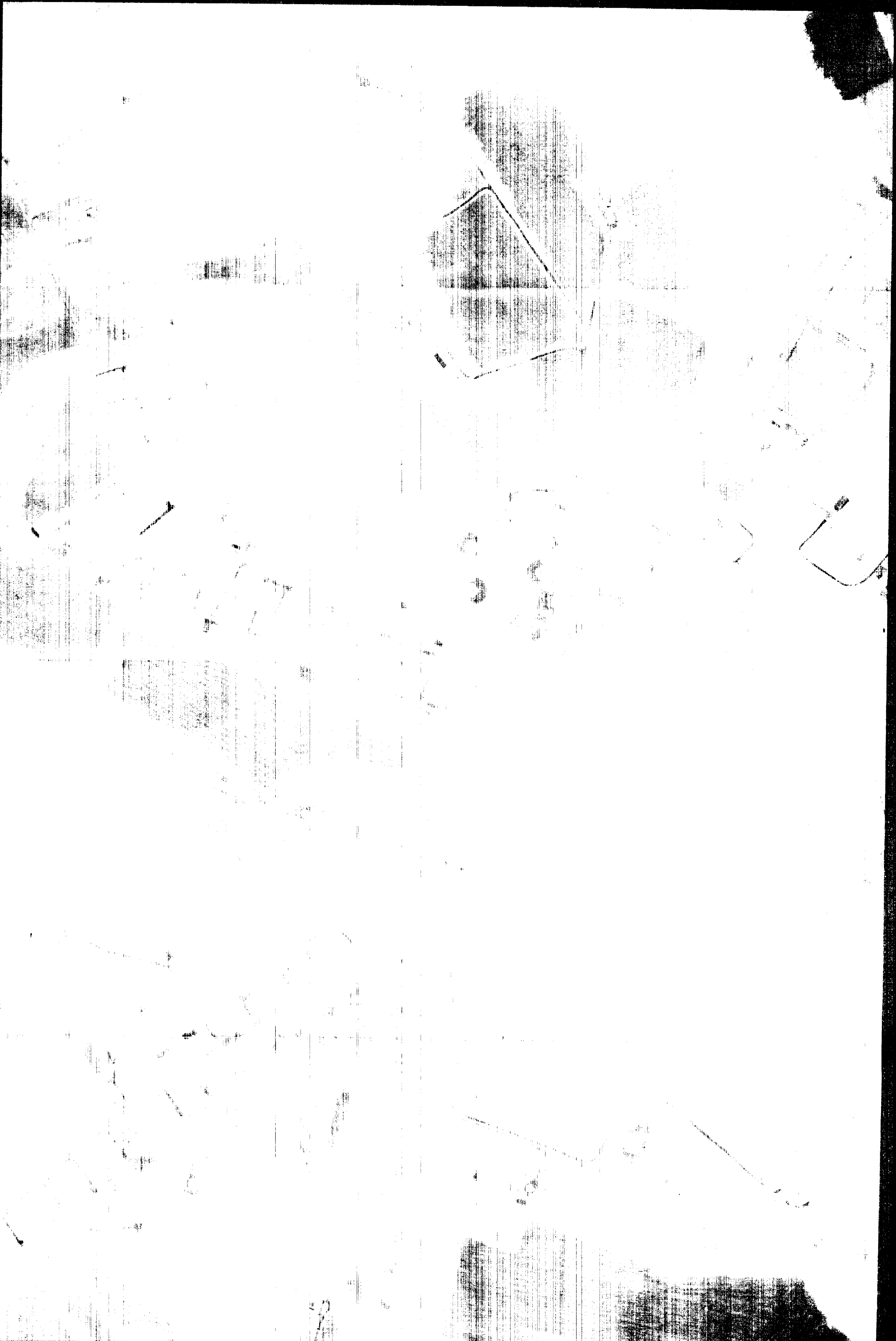
Discontinued By Critical Area  
Prior Zoning Hearings: None

Zoning Office USE ONLY

Reviewed By: TBM  
Date: 7/26/88

CASE #





PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 26401

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200'	6TH DISTRICT	N.W. 34E
DATE PHOTOGRAPHED JANUARY 1988	CONSOLIDATED SCHOOL	#128 MICROFILMED MICROFILMED

95-127-A



